

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

GARY GAYLOR,

Plaintiff,

vs.

GREENBRIAR OF DAHLONEGA  
SHOPPING CENTER, INC.,

Defendant.

CIVIL ACTION FILE

NO. 2:12-cv-82-RWS

**J U D G M E N T**

This action having come before the court, Honorable Richard W. Story, United States District Judge, for consideration of plaintiff and defendant's motions for summary judgment, and the court having granted in part and denied in part said motions, it is

**Ordered and Adjudged** that the Court GRANTS Defendant summary judgment on Plaintiff's claims regarding (1) the absence of above-ground signage, (2) the absence of marked accessible pathways across vehicular traffic lanes, and (3) the existence of a discriminatory policy toward the disabled; and the Court GRANTS Plaintiff summary judgment on his claims regarding (1) excessively sloped parking spaces and access aisles, (2) the improper distribution of parking spaces, and (3) non-compliant curb ramps at two locations. With regard to the claims on which Plaintiff is granted summary judgment, the Court DECLARES that the conditions at Defendant's shopping center violate Title III of the ADA and ORDERS Defendant to alter its facilities to bring them into compliance with

the law as soon as practicable.

Dated at Gainesville, Georgia, this 27th day of September, 2013.

JAMES N. HATTEN  
CLERK OF COURT

By: s/Stacey Kemp  
Deputy Clerk

Prepared, Filed, and Entered  
in the Clerk's Office  
September 27, 2013  
James N. Hatten  
Clerk of Court

By: s/Stacey Kemp  
Deputy Clerk